

# **BOONE COUNTY BOARD OF COMMISSIONERS**

## **MINUTES OF THE JANUARY 17, 2023 MEETING**

The Boone County Board of Commissioners met in regular session at 9:00 AM on Tuesday, January 17, 2023 in the Connie Lamar Meeting Room located on the main floor of the Boone County Annex Building at 116 W. Washington Street, Room 105, Lebanon, IN 46052 with the following personnel in attendance:

Donnie Lawson	Commissioner, President
Jeff Wolfe	Commissioner, Vice President
Tim Beyer	Commissioner
Bob Clutter	County Attorney
Kaylee Jessie	Executive Administrator

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### **DETERMINATION OF QUORUM AND PLEDGE TO THE FLAG**

Commissioner Lawson opened the meeting at 9:02 AM with a quorum of all three (3) Commissioners present. The Pledge to the Flag took place during the Drainage Board meeting.

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### **IN THE MATTER OF MINUTES**

Commissioner Wolfe moved to approve the Minutes of January 3, 2023 Commissioners' Meeting as presented. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

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### **IN THE MATTER OF BID OPENING FOR PROJECT 2023-02, ASPHALT RESURFACING IN VARIOUS TOWNSHIPS**

- 1) VENDOR: DC Construction Services  
DATE RECEIVED: January 17, 2023 at 8:21AM  
TOTAL BID AMOUNT: \$3,957,501.17
- 2) VENDOR: Grady Brothers Inc.  
DATE RECEIVED: January 17, 2023 at 8:15AM  
TOTAL BID AMOUNT: \$3,783,011.90
- 3) VENDOR: Milestone Contractors  
DATE RECEIVED: January 17, 2023 at 8:06AM  
TOTAL BID AMOUNT: \$4,232,870.00
- 4) VENDOR: Calumet Paving  
DATE RECEIVED: January 17, 2023 at 8:05AM  
TOTAL BID AMOUNT: \$4,266,700.00
- 5) VENDOR: Baumgartner & Company, Inc.  
DATE RECEIVED: January 17, 2023 at 7:58AM  
TOTAL BID AMOUNT: \$3,694,851.40

6) **VENDOR:** Midwest Paving  
**DATE RECEIVED:** January 17, 2023 at 8:05AM  
**TOTAL BID AMOUNT:** \$3,671,011.99

Commissioner Wolfe moved to take the bids received under advisement. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

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## IN THE MATTER OF LEGAL ISSUES

***Attorney Bob Clutter presented the following items:***

- 1) Indiana Department of Transportation (INDOT) Section 5339 Grant Agreement for the Boone County Senior Services (BCSSI) to provide public transportation services. BCSSI has been awarded \$47,200.00 in Federal Funds and \$12,499.00 in Local Funds to purchase replacement bus. The document was e-signed by Commissioner Wolfe on January 10, 2023.

Commissioner Wolfe moved to approve ratifying the Indiana Department of Transportation (INDOT) Section 5339 Grant Agreement. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

- 2) Integra Realty Resources (IRR) proposal for valuation services to prepare appraisals of the Retail Big Box Property (Meijer) – 6550 E. Whitestown Parkway, Zionsville, IN 46077. The appraisals will provide opinions of retrospective market value-in-use for the fee simple interest as of January 1 2019; January 1, 2020; January 1, 2021; and January 1, 2022. Fee for Phase I is \$3,400 per valuation completed. Phase II is \$2,900 per valuation completed. County Assessor Jennifer Lasley requests approval.

Commissioner Wolfe moved to approve Integra Realty Resources (IRR) proposal for valuation services. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

- 3) Performance Bond for Hoosier To Go Store at Bridle Oaks for acceptance.
  - a. Erosion Control in the amount of \$33,026.00
  - b. Storm Sewers in the amount of \$114,630.00

The Boone County Surveyor's office has reviewed and recommends approval.

Commissioner Beyer moved to approve the acceptance of the Performance Bond for Hoosier To Go Store at Bridle Oaks. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

- 4) Ice Miller conflict of interest waiver as it relates to their representation of Citizens Energy Group. Commissioner Wolfe moved to approve the Ice Miller conflict of interest waiver. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

- 5) Computer Systems Inc (CSI) agreements for disaster recovery, cloud storage, and microfiche services for the Recorder's Office. County Attorney Bob Clutter had a few minor revisions to the agreements and would recommend approval subject to the revisions being accepted.

Commissioner Wolfe moved to approve the Computer Systems Inc (CSI) agreements subject to County Attorney's final review and authorize County Recorder Debbie Ottinger to execute the documents on behalf of the County. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

**IN THE MATTER OF EMERGENCY MANAGEMENT PERFORMANCE GRANT  
– EQUIPMENT UPDATES**

Rachel Hanson, EMA Administrative Assistant, presented the 2022 Emergency Management Performance Grant (EMPG) – Competitive. Boone County Emergency Management Agency (EMA) was awarded \$20,000 for the Emergency Operations Center equipment updates.

Commissioner Wolfe moved to approve the Emergency Management Performance Grant (EMPG) for equipment updates. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

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**IN THE MATTER OF EMERGENCY MANAGEMENT PERFORMANCE GRANT - SALARIE**

Rachel Hanson, EMA Administrative Assistant, presented the 2022 Emergency Management Performance Grant (EMPG) for salary reimbursement in the amount of \$32,795.35.

Commissioner Wolfe moved to approve Emergency Management Performance Grant (EMPG) for salary reimbursement. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

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**IN THE MATTER OF SOUTHERN HEALTH PARTNERS, INC. CONTRACT**

Sheriff Tony Harris presented the Southern Health Partners, Inc (SHP) health services agreement to provide health care to inmates at the Boone County Jail.

Commissioner Beyer moved to approve the Southern Health Partners, Inc (SHP) health services agreement. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

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**IN THE MATTER OF REQUEST USE OF THE COURTHOUSE ROTUNDA**

Whitney Hodges, Boone County Resident, presented the request to use the courthouse rotunda on Saturday, November 11, 2023 for a small private wedding ceremony – approximately ten people in attendance. The ceremony will begin at approximately 4:30PM. She will coordinate with facilities and the Boone County Sheriff's Office for security.

Commissioner Wolfe moved to approve the request to use the courthouse rotunda for a small wedding ceremony subject to coordinating with facilities and security. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

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**IN THE MATTER OF COMMUNITY CORRECTIONS ANNUAL REPORT**

Michael Nance, Director of Community Corrections, presented the community corrections annual report. See **(Appendix #2)** for full report. He also thanked Katie DeVries for the time and resources collecting and organizing the data provided in the report.

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## **IN THE MATTER OF MONDAY.COM CONTRACT**

Michael Nielsen, County Project Manager, presented the Monday.com proposal for a project management workflow software. The total price for the three-year contract for service is \$5,016.

Commissioner Wolfe moved to approve the Monday.com contract. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

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## **IN THE MATTER OF UMR ADMINISTRATIVE SERVICES AGREEMENT**

Megan Smith, Director of Human Resources, presented the 2023 Amendment for the UMR Administrative Services Agreement (ASA). The base medical fee for UMR is going up \$0.71 for 2023 and rising again for 2024 and 2025. The annual credits are increasing to \$5.00 per employee per year – previously \$2.25 last year. There were no other significant changes. This agreement includes terms through 2025.

Commissioner Beyer moved to approve the 2023 Amendment for the UMR Administrative Services Agreement (ASA). Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

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## **IN THE MATTER OF EMPLOYEE HANDBOOK POLICY UPDATES**

Megan Smith, Director of Human Resources, presented proposed updates (highlighted in yellow) in the employee handbook for the following policies:

### **4-4 Holidays**

The Board of Commissioners will establish a holiday schedule each year and post it prior to the beginning of the upcoming year. A schedule of holidays for each current year shall be distributed to each county office by the end of the preceding year.

The County will grant paid holiday time off to all regular full-time employees. Part time employees are not eligible for holiday pay. **Holiday pay will be based on the employee's straight time pay rate (as the date of the holiday) times the number of hours the employee would otherwise have worked on that day.**

To be eligible for holiday pay, regular full-time employees must work the last scheduled day immediately preceding the holiday and the first scheduled day immediately following. If an employee is absent without authorization on the day preceding and/or following a holiday he or she will not receive compensation for the holiday.

If a recognized holiday falls during an eligible employee's paid absence, holiday pay will be provided instead of the paid time off benefit that would have otherwise applied. **If an eligible employee works on a recognized holiday, he or she will receive his or her normal straight-time rate for the hours worked on the holiday plus Holiday pay.**

**Commissioner Wolfe moved to approve the language change for the holiday policy. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.**

## 5-4 OVERTIME

Adding “Clerk Department non-exempt employees who work on Election day(s) which have been designated by the Board of Commissioners as holidays for county employees shall consider the Election day holiday hours as hours worked for the purposes of calculating overtime.”

County Clerk Lisa Bruder commented concerns on this change. **This change was tabled for further discussion.**

## 4-7 PAID TIME OFF (PTO)

“Eligible employees accrue PTO hours according to their weekly work schedule and the employee’s years of service as of the beginning of the pay period following their anniversary date with the County based on the accrual schedule outlined below. If an employee is transferring from a part-time position to a full-time position, the part-time hire date will be considered for the purpose of PTO accrual.”

County Clerk Lisa Bruder asked if this change would be retroactive or effective today? **This change was tabled for further discussion.**

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## IN THE MATTER OF HIGHWAY ANNUAL REPORT

Nick Parr, Director of Highway, presented the Boone County Highway Department annual report. See **(Appendix #3)** for full report.

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## IN THE MATTER OF OLD BUSINESS

There was none at this time.

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## IN THE MATTER OF STAFF REPORTS

- APC –
- Capital Investments / Facilities – Max Mendenhall
- Health Department – Lisa Younts / Abby Messenger
- Highway Department – Nick Parr
- Human Resources – Megan Smith
- IT Support – GUTS
- Other Elected Officials

### ***Dr. Herschell Services, Boone County Health Officer, presented:***

- 1) Updates on Covid in Boone County. He is really encouraged with the health of our residents within the community as we continue to remain in “Green Status” for several weeks now.
- 2) The state rating for influenza has been moderate to very high recently.
- 3) Anne Patterson has submitted her resignation as an appointment on the Boone County Health Board. She was recently offered and accepted a position with the Lebanon Utilities Services Board, and unable to effectively fulfill her obligations to the County Health Board. She was honored to have been able to serve Boone County in the capacity as a Health Board member and was thankful for the opportunity.

*Nick Parr, Director of Highway Department presented the following items:*

- 1) Construction in right-of-way permit (#202310001) for Indiana Department of Transportation (INDOT) on the north side of Kent Road, west of CR 225 W to I-65 in the installation of 6" water main. The Boone County Highway Department recommends approval with a \$40,000 Bond.  
Commissioner Wolfe moved to approve the construction in right-of-way permit (#202310001) for INDOT. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.
- 2) Construction in right-of-way permit (#202310002) for Indiana Department of Transportation (INDOT) on the south side of CR 275 N from 150 W to 1,880' east of 150 W for the installation of 6" force main. The Boone County Highway Department recommends approval with a \$25,000 Bond.  
Commissioner Wolfe moved to approve the construction in right-of-way permit (#202310002) for INDOT. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.
- 3) Road closure permit (#202330001) for Indiana Department of Transportation (INDOT) at Kent Road. The date is to be determined, mid-summer or early fall. The Boone County Highway Department recommends approval.  
Commissioner Wolfe moved to approve the road closure permit (#202330001) for INDOT. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.
- 4) Road closure permit (#202330002) for Indiana Department of Transportation (INDOT) at CR 275 N. The date is to be determined, mid-summer or early fall. The Boone County Highway Department recommends approval.  
Commissioner Wolfe moved to approve the road closure permit (#202330002) for INDOT. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.
- 5) VS Engineering on-call agreement for engineering services billed as needed.  
Commissioner Beyer moved to approve VS Engineering on-call agreement. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.
- 6) Administrative settlement on Parcel 6 in the amount of \$125,000 for Project 2019-04, Replacement of Bridge 192. This is a federal aid project located on CR 300 S just east of CR 800 E. Letting is July 12 of this year.  
Commissioner Wolfe moved to approve the administrative settlement on Parcel 6. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

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#### **IN THE MATTER OF DOCUMENT SIGNING**

- 1) Ratify the FFE claim for the relocation of admin employees to the trailers in the amount of \$20,724.00 previously approved by Commissioner Wolfe.  
Commissioner Beyer moved to approve the claim. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.
- 2) An affidavit for payment for Lochmueller Group in the amount of \$13,902.71 for the Boone Co. Culvert Replacement of SC015.  
Commissioner Wolfe moved to approve the affidavit for payment for Lochmueller Group. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

3) Key request forms for Suzanne Mace, Karen Neaville, Monica Hickman, and Brittany Stathers. Commissioner Wolfe moved to approve the key request forms. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

4) Claims Dockets – regular, prepays, payroll, and insurance. Commissioner Wolfe moved to approve Budgetary Claims presented from the Auditor’s Office. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

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### IN THE MATTER OF MAIL

See (**Appendix #4**) for a list of mail opened by the Commissioners on this date.

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### IN THE MATTER OF ADJOURNMENT

With no further business, Commissioner Beyer moved to adjourn the Boone County Commissioners’ Meeting at 10:44AM on Tuesday, January 17, 2023. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.